

State Director George Sanchez provided the impetus, which recognized academic and research techniques, fiscal and administrative concerns, and a criminal justice practitioner's practical approach:

- A case-level perspective.** As a prosecutor and as a defense attorney, Martin Cirincione often felt great frustrations with the lack of information available when he was called upon to choose which sanction to recommend for a convicted offender. He was very aware both of the great range of graduated sanctions that are available and the cost to society of a poor decision.

28

- The first involved a 35 year-old man who was charged with a forgery and who had previously been sentenced to state prison for a non-violent felony. As his counsel, Cirincione got to know him very well and suspected he would engage in violence. But the offender's lack of convictions for a violent crime and his good work history made him an "easy sell" to the court for another short prison term. Because it was a plea negotiation, the offender was whisked through plea and sentence and did his time before being quickly returned to the community. However, shortly after release, the offender had a fight with his girlfriend, stole a car, and ended up killing two others and himself in a crime spree. Had an assessment tool been available, Cirincione was convinced, a risk and needs assessment would have showed clearly the offender's danger to the community and his obvious need for intensive treatment.
- The second case involved a woman with 11 children who was accused of more than \$30,000 in welfare fraud. In response to community outrage over the theft, the judge and the district attorney were both insisting on state prison. Cirincione showed them figures on the cost of placing the children in foster care and incarcerating the mother-for 1 year, three times the \$30,000 she had stolen-arguing that her potential incarceration was unnecessary. In terms of risk to the community, the woman likely would have been placed in the lowest percentile of posing any risk. It would also have been clear that her needs could easily have been provided for with existing community resources.

Systems perspectives. Colleagues Howard Bancroft and Pam Derrick had been discussing the development of a performance-based methodology to determine how state funds could be more equitably and effectively used, to ensure the maximum use of state funding, and to promote a system of graduated sanctions and services. Over the years, a contentious issue among probation administrators, budget specialists, and state legislators had been: "What's the return on our investment in community correctional services?" While each had a somewhat different agenda, they seemed to understand that performance-based program information would be essential to represent the work of this important and complex system.

Research on performance measurement made clear, however, that performance-based outcome measures could only be understood within a context of classification of offenders. Years of dedicated work on offender seriousness scaling and risk assessment have consumed countless pages of argument about the benefits of using statistics to support release decisions. Similarly, the measurement of program performance could only be understood within a context of descriptive profiles of the clients managed and the services provided.

Ultimately, the decision was made to satisfy the practical needs of decision support and the regulatory needs of funding disbursement through the validation of tools that could be used for both purposes. In response to these concerns, Cirincione joined Derrick and Bancroft in the search for a risk and needs assessment protocol for New York State.

E Pluribus Unum-Out of Many, One

It is a basic principle that the state's oversight role can be more effectively applied and better received when state officials model collaboration and coordination of the work around a clear purpose. Rather than dictating the rules and procedures to front-

line operations, the state must draw local practitioners into the debate about the best way to improve services.

New York State's criminal justice system is diverse. Offender populations, court procedures, the availability of local services and graduated sanctions, and the general public's willingness to support the accomplishments of community corrections vary throughout an infrastructure ranging from major metropolitan areas to small rural jurisdictions. However, a single unifying factor can help to stabilize a complex system, and the new assessment methodology currently being evaluated for use in the state's probation and correctional alternatives system will assist in this unification endeavor. Here, the purpose of public protection is framed by a reasoned and well-crafted methodology that ensures that those who pose the least risk are diverted.

New York's Community Services in Profile-

The community corrections system in New York State is a typical "front-end" system that serves courts by processing felons and misdemeanants from pre-trial release through sentence after conviction by plea or trial. It also supervises nearly 200,000 offenders under probation supervision.

- The system involves 58 local probation departments, including departments for each county in upstate New York and Long Island and one department for the five boroughs of New York City.
- Staffing varies from over 1,000 peace officers in New York City to only two in rural Hamilton County.
- Each department provides adult and family court services, with core functions in both the criminal and family court arena for intake, investigation, and supervision services.
- There are 170 specialized alternatives-to-incarceration programs, providing pre-trial release, community service, defender-based advocacy, and services for unique populations.
- Approximately \$90 million in state funding supports these functions.
- During 1997, New York State had over 300,000 convictions. Approximately one-third of these offenders were incarcerated in state and local facilities. More than 183,000 offenders were under probation supervision throughout the state.
- Also in 1997, probation departments across the state conducted more than 90,000 regular presentence investigations. An additional 87,000 special investigations included pre-plea investigations, juvenile delinquency investigations, custody investigations, and the like.

Several principles form the basis of DPCA's effort to bring a state-of-the-art assessment methodology into the construct of organizational change in both the state agency and its local affiliates:

- Use of a competitive process to ensure that the highest quality of services is secured and as a requirement of government contracting;
- Emphasis on promoting ownership of the new system of decision support in the case processing of criminal defendants;
- Use of planning and pilot testing that will allow new operations to be attempted and refined before implementation;
- Emphasis on a consumer orientation, giving those who use the instruments and methods a voice in the project design before customization is complete;
- Completion of the feedback loop, ensuring that parties involved in the pilot test are apprised of the state's actions and executive decisions as important benchmarks are reached; and
- Attention to simplifying the acquisition of a valid and cost-effective assessment tool.

Contracting for a Decision Support System

The community corrections system assists the courts and prosecutors in making the best-guided decisions on the sentencing dispositions of convicted offenders. Therefore, improvements in assessment methods make pre-plea and pre-sentence reports more valued. State planners sought the best possible decision support system that could be adapted to New York's large and complex criminal justice system.

An RFP solicited proposals from research and practice professionals who had developed a risk and needs assessment process, automated it, and demonstrated its relevance and validity in several locations in the U.S. and/or Canada. DPCA released the RFP during the summer of 1998. This initiative followed a thorough search for public domain or non-proprietary materials that addressed risk and needs assessment and could be customized for New York State populations. The contract award was to support testing of a model protocol for the assessment of risk and need and to begin to test the potential for multi-dimensional assessment practice rather than the single-dimension risk classification New York State had developed in the past. Four vendors who submitted proposals met requirements for timely submission and content areas.

A five-person evaluation team was convened in late 1998. The evaluation team was comprised of two directors from county probation departments, two research specialists, and one executive member of the DPCA. To ensure the objectivity of the evaluation, no one on the review panel had been responsible for the development of the RFP. Also to ensure objectivity, several evaluation criteria were established. In addition to a cost dimension, other criteria included long-term application potential, staff and organizational development capacity, a project design based on sound research methods, and flexibility in the adaptation of the proposed assessment tools to a complex, county-operated system such as that in New York State.

While the cost element was clearly an important factor, DPCA administrators knew that the lowest cost would not necessarily yield the greatest value. Presentations that provided combinations of research and practical expertise and reasonable cost were considered more competitive. Each panel member reviewed the proposals independently, and the panel then came to a consensus on the proposal that represented the best value.

The process of ownership began at the very first decision-making juncture of the grant award process. With two county probation directors having key roles in the RFP evaluation, equal to the state executive staff, an important message was communicated to probation administrators throughout New York State: collaboration is essential between state and local representatives who have equal stake in the policy-setting role of state government. Also of importance to the ownership process is the use of local line staff to filter issues or questions arising from the test phase of the project back to state policy-makers and to ensure that their voice is also represented.

Characteristics of the COMPAS System

The evaluation team selected Correctional Offender Management Profiling for Alternative Sanctions (COMPAS). COMPAS is a product of Northpointe Institute for Public Management, Inc., and was designed based on theoretical foundations of risk management systems developed in the last decade in the U.S. and Canada.

COMPAS includes multiple risk factors incorporated into separate scales designed to predict risk of violent behavior, recidivism, failure to make court appearances, and failure to meet community corrections release conditions. Additionally, COMPAS is an automated decision support system that applies needs identification on a minimum of 10 dimensions and maintains a summary of client performance, with a program outcomes module. The outcomes identified are then used to “improve” the prediction of the risk assessment, as modulated by the unique characteristics of the jurisdiction in which it has been applied.

The system has been applied in various correctional contexts, including pre-trial release services, presentence investigations, release to treatment from jail, probation supervision, and parole release decisions. It uses multiple data sources, including official records and semi-structured and self-reported data. The COMPAS information processing system uses a technique called “pattern recognition” to develop the offender profile based on carefully chosen need dimensions. These need dimensions include substance abuse, living arrangements, vocational and educational factors, peer and family associations, and other factors that research has identified as having some association with criminality or with behavioral change. Emphasis is on criminogenic factors and those most often cited by criminal justice decision-makers.

COMPAS produces a summary report that graphs multiple risk scores and need dimensions for each offender. Scores are converted to standard scores to allow a norming of percentiles. Although the tools are not designed to provide specific treatment guidance, the profile does indicate the areas in which further evaluation of need is indicated.

An important selling point is that Northpointe recognizes human judgment as a factor equally important to the statistical results of COMPAS; therefore, it allows for an override by the interviewer.

Four-County Pilot Test Underway

The Northpointe instruments are currently being tested in four counties in upstate New York and Long Island. (See table.)

Table 1. Characteristics of Counties Selected for Pilot Phase

County (City)	Population	Index Crime	Crime Rate per 100,000 Population
Fulton(Johnstown)	54,478, rural	2,145	3,937.4
(Schenectady)	149,708, mixed	6,122	4,089.3
Monroe (Rochester)	727,575, urban	37,812	5,197.0
Suffolk (Riverhead)	1,348,867, mixed	45,231	3,353.3

Source: New York State Division of Criminal Justice Services. *Crime and Justice Annual Report, 1997*. See full report at http://CRIMINALJUSTICE.state.ny.us/crimnet/ojsa/cja_97/cj-intro.pdf

These counties were selected based on several elements believed to represent the diverse working environments throughout New York State:

- First, project planners sought out progressive probation directors who were willing to coordinate efforts with state administrators and who had demonstrated leadership among their colleagues.
- A second factor was competent and committed staff who had actively pursued new developments in the field of probation and community corrections and had demonstrated sufficient autonomy to develop new practices without abandoning their ability to work collaboratively within their county and with colleagues in other jurisdictions.
- The project required variations in automation capacity in order to test these tools in environments where experience in computer technology had reached different stages of development, from novice to advanced user.
- Finally, counties were selected for differences in departmental complexity, from a single unit with officers responsible for mixed caseloads and functions (Fulton and Schenectady) to large, decentralized departments with officers responsible for single functions such as presentence investigation and intensive supervision (Monroe and Suffolk).

We are currently finishing the test stage in these four counties. Although a number of challenges have been encountered-some of which were anticipated and several of which were unforeseen-the Division's collaborative process has been responsible for their successful resolution.

Of great interest is that several unforeseen potential uses of the risk and needs assessment have evolved during the pilot testing. Our timeline shows completion of the pilot testing by December 1999. If the collaborative methodology has been successful, DCPA plans to see the fruits of our labor in the year 2000!

We would be happy to answer any inquiries. For additional information, contact the Division at DPCAPROG@DPCA.state.ny.us. ■